

Atty. Dkt. No. 074022-3302

**REMARKS**

Claims 59, 60 and 61 have been amended. No amendments have been made to obviate prior art or to overcome any rejections. Support for the amendments is found generally. Accordingly, the amendments and the new claims raise no issue of new matter.

**Interview Summary**

The undersigned conducted a telephonic interview with Examiner Marschel on January 5, 2005 to discuss the remaining issues in the case. Agreement was reached on all issues as reflected by the amendments and remarks herein. This Amendment After Final Rejection was filed at the suggestion of the Examiner.

**Improper Multiple Dependence**

The Examiner has objected to claim 61 as being a multiple dependent claim that depends from other multiple dependent claims. Applicants have amended claim 61 to refer only to non-multiple dependent claims. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

**New Matter Rejection**

The Examiner asserts that the language in claims 56, 58 and 60 referring to the absence of interconnections between channels is new matter because the specification allegedly only describes this feature in conjunction with achieving laminar flow character. The rejection is respectfully traversed.

Applicants respectfully submit that the rejection is without basis because there is no requirement for a functional result to be recited with a clear negative limitation on structure (i.e. no interconnections). Furthermore, the Examiner's attention is directed to the specification at page 28, lines 8-9 which teaches avoid interconnections between channels but does not mention

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laminar flow. Accordingly, the Examiner is urged to reconsider and withdraw the new matter rejection.

#### **Obviousness-type Double Patenting**

The Examiner has provisionally rejected claims 1, 2, 5-12, 23-24, 26-34, and 36-50 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 51-52, 54-55, 57-63, 66-68, 70-71, 73-79, and 82 of copending Application No. 09/675,518. The rejection is respectfully traversed.

It is respectfully submitted that the claims of the instant application which recite channels and/or a porous support are patently distinct over the specified claims of the copending application which lacks these limitations. Furthermore, the Examiner is authorized to withdraw the rejection under MPEP 804B, because there no other issues remain in the instant case. Accordingly, the Examiner is urged to reconsider and withdraw the rejection.

#### **Conclusion**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

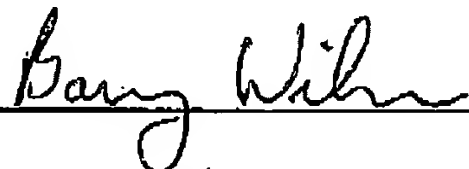
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

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entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date January 5, 2005By 

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